

## CCRB INVESTIGATIVE RECOMMENDATION

|   |  |                           |   |   |                                 |
|---|--|---------------------------|---|---|---------------------------------|
| Investigator:<br>Erinn White                      | Team:<br>Team # 3  | CCRB Case #:<br>201016605 | <input checked="" type="checkbox"/> Force             | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.   |
|   |  |                           | <input checked="" type="checkbox"/> Abuse             | <input type="checkbox"/> O.L.                 | <input type="checkbox"/> Injury |
| Incident Date(s)<br>Saturday, 10/23/2010 12:15 AM | Location of Incident:<br>West 145th Street and 7th Avenue; 2611 8th Avenue | Precinct:<br>32           | 18 Mo. SOL<br>4/23/2012                               | EO SOL<br>4/23/2012                           |                                 |
| Date/Time CV Reported<br>Fri, 12/03/2010 4:00 PM  | CV Reported At:<br>CCRB  | How CV Reported:<br>Phone | Date/Time Received at CCRB<br>Fri, 12/03/2010 4:00 PM |   |                                 |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
|                    |      |              |
|                    |      |              |
|                    |      |              |
|                    |      |              |
|                    |      |              |
|                    |      |              |
|                    |      |              |

| Subject Officer(s)   | Shield | TaxID  | Command |
|----------------------|--------|--------|---------|
| 1. POM Arthur Wright | 16740  | 947619 | PBMN    |
| 2. POM Daniel Leek   | 26566  | 945913 | PBMN    |
| 3. Officers          |        |        |         |

| Witness Officer(s)  | Shield No | Tax No | Cmd Name |
|---------------------|-----------|--------|----------|
| 1. POM Carlos Matos | 01950     | 933973 | 032 PCT  |

| Officer(s)          | Allegation  | Investigator Recommendation |
|---------------------|---|-----------------------------|
| A.POM Arthur Wright | Abuse: PO Arthur Wright stopped § 87(2)(b) and an individual at West 145th Street and 7th Avenue in Manhattan.                  |                             |
| B.POM Arthur Wright | Force: PO Arthur Wright used physical force against § 87(2)(b) and § 87(2)(b) at West 145th Street and 7th Avenue in Manhattan. |                             |
| C.POM Arthur Wright | Abuse: PO Arthur Wright searched § 87(2)(b) and an individual at West 145th Street and 7th Avenue in Manhattan.                 |                             |
| D.POM Daniel Leek   | Abuse: PO Daniel Leek searched § 87(2)(b) and an individual at West 145th Street and 7th Avenue in Manhattan.                   |                             |
| E.POM Arthur Wright | Discourtesy: PO Arthur Wright spoke obscenely to § 87(2)(b) at West 145th Street and 7th Avenue in Manhattan.                   |                             |
| F. Officers         | Abuse: Officers searched the car in which § 87(2)(b) and § 87(2)(b) were occupants in front of 2611 8th Avenue in Manhattan.    |                             |

## Case Summary

On December 3, 2010, § 87(2)(b) filed a complaint with the CCRB via phone.

On October 23, 2010, at approximately 12:15 a.m., § 87(2)(b) his wife, § 87(2)(b) his father in law, § 87(2)(b) and § 87(2)(b) s cousin and friend, § 87(2)(b) and § 87(2)(b) stopped on the corner of West 145th Street and 7th Avenue in Manhattan. The group was coming back from watching a Yankees baseball game. Everyone exited the vehicle and § 87(2)(b) told § 87(2)(b) to let him drive because he had been drinking. They also stopped to meet up with friends, § 87(2)(b) and an unidentified black male. While § 87(2)(b) went into a corner store to buy a coffee, § 87(2)(b) observed an unmarked police vehicle, a black car parked in front of their vehicle. After 20 minutes or so, two officers, PO1 and PO2, approached the group. PO1, Officer Arthur Wright, who § 87(2)(b) identified after seeing his name on his shield, instructed § 87(2)(b) and the fourth male to stand at the rear of their car (**Allegation A**). Officer Wright then threw § 87(2)(b) against the car and pinned him using his forearm (**Allegation B**). Officer Wright and PO2, Officer Daniel Leek, who § 87(2)(b) identified after seeing his name on his shield, then removed all of their belongings from their pants pockets and placed it on the car hood (**Allegations C and D**). § 87(2)(b) approached them and asked what was going on. Officer Wright replied, "Get the fuck out of here (**Allegation E**)." § 87(2)(b) disputed this and Officer Wright also threw him against the car and searched his pockets and found a fake ID. The ID had a hologram picture of Daffy Duck on it. Officer Wright peeled off the hologram and accused § 87(2)(b) of falsifying documents. A marked police van arrived and § 87(2)(b) and § 87(2)(b) were transported to the 32nd Precinct. Everyone else was let go. § 87(2)(b) was charged with a felony for the fake ID, which was confiscated by the police. § 87(2)(b) was charged with possession of marijuana. § 87(2)(b) and § 87(2)(b) went to the 32nd Precinct to inquire about the arrests. En route, they were pulled over by officers who were previously at the scene. The officers searched the vehicle and found a police baton (**Allegation F**). They were all arrested and also taken to the 32nd Precinct. Officer Carlos Matos was § 87(2)(b) and § 87(2)(b) s arresting officer. His involvement in the incident is unknown and therefore he is being listed as a witness. The stop, question, and frisk log for the date and time of the incident did not provide any information in identifying the unidentified individual involved in the incident.

In his intake statement, § 87(2)(b) provided a phone number and home address for himself and § 87(2)(b). Between December 8, 2010 and January 10, 2011, the investigator placed eight calls to § 87(2)(b) and § 87(2)(b). On the fourth, seventh, and eighth call, § 87(2)(b) scheduled appointments for himself and § 87(2)(b) for December 29, 2010, January 7, 2011, and January 19, 2011, respectively. Both § 87(2)(b) and § 87(2)(b) missed these appointments. § 87(2)(b) also stated that he could provide contact information for the other victims named in the complaint. However, § 87(2)(b) never provided this contact information.

Home addresses for § 87(2)(b) and § 87(2)(b) were obtained from their arrest reports. A search of Lexis Nexis yielded no alternative contact information for § 87(2)(b) and two numbers and an alternate address for § 87(2)(b). The first number was the same phone number provided by § 87(2)(b). Between January 5, 2011 and January 10, 2011, three calls were placed to the second phone number obtained for § 87(2)(b). During each call, the investigator received a busy signal and the phone number was not in service.

In addition to contacting § 87(2)(b) and § 87(2)(b) by phone, on December 8, 2010 and December 17, 2010, first and final please call letters were sent to § 87(2)(b) and § 87(2)(b)'s mailing address. On December 17, 2010, first please call letters were sent to § 87(2)(b) and § 87(2)(b). On January 5, 2011, § 87(2)(b)'s letter was returned by the United States Postal Service as undeliverable as addressed. On January 5, 2011, a final please call letter was sent to § 87(2)(b) and a first please call letter was sent to § 87(2)(b)'s alternate address. A final please call letter was sent to § 87(2)(b)'s alternate address on January 13, 2011. On February 10, 2011, the letter was returned stating that § 87(2)(b) moved and provided his new address. On February 11, 2011, a please call letter was sent to this new address. As of the date of this report, no other letters have been returned by the United States Postal Service.

A search of Cole directory, Yellow Pages, and Lexis Nexis did not yield any contact information for § 87(2)(b) or § 87(2)(b).

A search of NYC Department of Correction's inmate lookup service confirms that as March 16, 2011, § 87(2)(b) and § 87(2)(b) are not currently incarcerated.

As a result of § 87(2)(b)'s failure to cooperate with the course of this investigation, § 87(2)(g)

To date, § 87(2)(b) and § 87(2)(b) have failed to contact the CCRB. § 87(2)(g)

Team: \_\_\_\_\_

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Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date